

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

WILLIAM CARROLL, et ux. *

Plaintiffs *

vs. *CIVIL ACTION NO. MJG-02-2084

BENJAMIN JAMES MARTIN, et al. *

Defendants *

* * * * *

ORDER

In accordance with the proceedings held in this matter on
this date:

1. Defendants agree that whatever was done by Defendant Martin relating to this case was done within the scope of his employment by Defendant Lamtech.
 - a. Defendant Lamtech agrees with Plaintiff's allegation that if Martin is held liable by virtue of his negligence, Lamtech would be liable under the doctrine of respondeat superior.
 - b. Accordingly, unless Plaintiff shows good cause to the contrary before November 1, 2003, the Court will dismiss the negligent entrustment claim as moot.
2. By December 19, 2003:
 - a. The Pretrial Order shall be filed.
 - b. Any motions in limine shall be filed.
 - c. Requested voir dire questions shall be filed (in duplicate) together with an agreed (or separate) extremely brief,

neutral summary of the case to be read to the voir dire panel.

- d. Requested jury instructions shall be filed (in duplicate).

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COUNSEL MUST BE SURE TO NOTE THAT:

- (1) ANY REQUEST FOR AN INSTRUCTION BASED ON A PRINTED TEXT SHALL BE SUBMITTED IN THE FORM OF A PHOTOCOPY OF THE PRINTED PAGE WITH ANY APPROPRIATE INTERLINEATION.
 - (2) ANY REQUEST BASED UPON A PRECEDENT OR OTHER AUTHORITY SHALL HAVE ATTACHED A COPY OF THE PAGE(S) RELIED UPON.
- e. Plaintiff shall arrange the scheduling for the pretrial conference at a mutually convenient time prior to January 7, 2004.
- 3. As agreed by the parties, jury trial shall begin on Monday, January 12, 2004, with an estimated duration of three to four trial days.
 - a. The parties are aware that a currently scheduled criminal trial may conflict with the ability of the undersigned judge to preside over the trial in this case on the agreed date.
 - b. The parties have consented to have this case tried before a Magistrate Judge and jury in the event the undersigned Judge's schedule prevents his trying this case on the agreed date.

SO ORDERED, on Friday, 29 August, 2003.

_____/ s /_____
Marvin J. Garbis
United States District Judge